



3-24-04

Image

AF17338

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Zuoxing YU, et al.
TITLE : MANUFACTURE OF ABRASION RESISTANT COMPOSITE EXTRUSIONS
APPLICATION NO. : 09/910,337
FILED : July 20, 2001
CONFIRMATION NO. : 3639
EXAMINER : GOFF II, John L.
ART UNIT : 1733
LAST OFFICE ACTION : December 18, 2003
ATTORNEY DOCKET NO. : CSA 2 0143

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **December 18, 2003** finally rejecting claims 1-6, 8-20, 22, 23 and 25-30. The Examiner has indicated that Applicant's amendment filed November 21, 2003 will be entered for purposes of Appeal.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this Notice of Appeal is being sent by the United States Postal Service as "Express Mail Post Office to Addressee" procedure under 37 C.F.R. 1.10 on the date indicated below and is addressed to: o Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail No. EL 998015390 US

Cathryn Terchek
Cathryn Terchek

Date: *March 23 2004*

03/25/2004 MAILED 00000033 09910337

01 FC:1401
02 FC:1253330.00 DP
950.00 DP

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

other than a small entity \$330.00

3. EXTENSION OF TERM

Applicant hereby petitions the Commissioner under 37 C.F.R. §1.136(a) for a THREE-MONTH extension of time up to and including March 24, 2004 in which to file the accompanying Notice of Appeal. The amount of \$950.00 for the extension fee is enclosed herewith. Applicant requests any additional extensions of time that may be necessary and authorize the extension of time fees or any deficiency in fees herewith to be charged to Deposit Account No. 06-0308.

4. TOTAL FEES DUE

The total fee due is:

Notice of Appeal Fee:	<u>\$330.00</u>
Extension of Time Fee:	<u>\$950.00</u>

5. FEE PAYMENT

Attached is a check in the amount of \$330.00 and a check in the amount of \$950.00. If any additional extension and/or fees are required this is a request therefor and charge Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE LLP

Date: March 23, 2004

Joseph Waters

Timothy E. Nauman, Reg. No. 32,283
Joseph E. Waters, Reg. No. 50,427
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2579
(216) 861-5582